

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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UNITED STATES OF AMERICA

-v.-

PETER GROMACKI,

: PRELIMINARY ORDER OF
FORFEITURE/MONEY JUDGMENT

: 12 Cr. 302 (ER)

:

Defendant. :
- - - - - x

WHEREAS, on or about April 19, 2012, PETER GROMACKI (the "defendant"), was charged in a three-count Indictment, 12 Cr. 302 (ER) (the "Indictment"), with conspiracy to violate the International Emergency Economic Powers Act ("IEEPA"), in violation of Title 18, United States Code, Section 371 (Count One); violating IEEPA, in violation of Title 18, United States Code, Section 2, Title 50, United States Code, Section 1701 to 1706 and Title 15, Code of Federal Regulations, Sections 736.2, 764.2 (Count Two); and making false statements, in violation of Title 18, Sections 2 and 1001 (Count Three);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Three, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, of all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in Counts One through Three of the Indictment, including but not limited to a sum of money

representing the amount of proceeds obtained as a result of the offenses;

WHEREAS, on or about July 30, 2013, the defendant pled guilty to Counts One through Three of the Indictment and admitted to the forfeiture allegation;

WHEREAS, on or about November 26, 2013, the defendant was sentenced;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One through Three of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$135,913.68 in United States currency (the "Money Judgment"), shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture/Money Judgment, this Order is final as to the defendant, PETER GROMACKI, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrew's

Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. Upon execution of this Preliminary Order of Forfeiture/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b) (3) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

6. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 (e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Micah W.J. Smith, United States Attorney's Office, One Saint Andrew's Plaza, New York, New York 10007.

SO ORDERED:



HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE

11/26/13

DATE